

**APPROVED MINUTES\***  
**CITY COUNCIL**  
**SPECIAL MEETING**  
**COUNCIL STUDY ISSUES AND BUDGET ISSUES WORKSHOP**  
**JANUARY 23, 2009**

(The Public Hearing for the Proposed 2009 Study and Budget Issues  
was held January 8, 2009.)

**ORDER OF BUSINESS**

**8:30 a.m. – Special Council Meeting**

**CALL TO ORDER**

Mayor Spitaleri called the workshop to order at 8:35 a.m.

**SALUTE TO THE FLAG**

Mayor Spitaleri led the salute to the flag.

**ROLL CALL**

**PRESENT:**

Mayor Anthony Spitaleri  
Vice Mayor Christopher Moylan  
Councilmember John Howe  
Councilmember Ron Swegles  
Councilmember Melinda Hamilton  
Councilmember David Whittum  
Councilmember Dean J. Chu

**STAFF PRESENT:**

City Manager Gary Luebbbers  
Assistant City Manager Robert Walker  
City Attorney David Kahn  
Director of Community Development Hanson Hom  
Director of Parks and Recreation David Lewis  
Director of Public Safety Don Johnson  
Director of Public Works Marvin Rose  
Director of Libraries Deborah Barrow  
Director of Human Resources Erwin Young  
Director of Finance Mary Bradley  
Budget Analyst Drew Corbett  
Assistant to the City Manager Coryn Campbell  
Intergovernmental Relations Officer Yvette Agredano  
Interim City Clerk Katherine Bradshaw Chapplear

**PUBLIC COMMENTS**

None

**TRENDS, ISSUES AND MAJOR CHANGES SINCE JUNE 2008 THAT COULD IMPACT CITY'S  
20-YEAR PLAN**

City Manager Gary Luebbers gave a PowerPoint presentation and discussed how the current global financial situation will affect the City of Sunnyvale going forward. City Manager Luebbers explained that Council passed a balanced budget six months ago with the expectation there would be a downturn in the economy; however, from September 2008 to January 2009, the severity of the downturn has surpassed projections. City Manager Luebbers spoke about how the recession will affect the City of Sunnyvale and noted that revenues will be at least \$12 million lower than originally projected.

City Manager Luebbers explained the result of the current financial situation will require the City reduce expenses by \$9 million annually from the 20-Year Long Term Finance Plan. City Manager Luebbers stated the recommended budget will retain the 20 percent contingency, as it is still built into the budget at this time. City Manager Luebbers explained the City has time to react; however, the sooner action is taken, the better it will be for the City's financial status. City Manager Luebbers stated he is searching for cost-savings throughout the City and explained that City services will be impacted.

Councilmember Hamilton questioned how the state budget will affect the City of Sunnyvale. Director of Finance Mary Bradley responded that the City's main services have been projected; however, there will be somewhat of a cash flow impact due to the state running out of money.

Councilmember Hamilton verified with Director of Finance Bradley that the City's sales tax revenues, which are remitted back to the City from the state Franchise Tax Board, will not be impacted; however, discretionary funds may be impacted, such as transportation and gas tax funds.

Vice Mayor Moylan asked City Manager Luebbers if he could contact the City's largest sales tax generators and inquire if they would volunteer information about their sales volume in order not to have to wait for information from the state level. City Manager Luebbers explained that the Economic Development Division has contact with all the retailers in the City, which assists the City in gathering information about the current economic situation. Not all retailers will share their information but the City will continue to gather what information they can at a heightened pace in order to see when things start to turn one way or the other.

Councilmember Howe verified with City Manager Luebbers that correcting the deficit will consist of short- and long-term changes in an attempt to cover the current \$9 million annual shortfall and to keep from using any City reserves. City Manager Luebbers explained that flexibility will be needed to institute the necessary decisions.

Councilmember Whittum verified with Director of Finance Bradley that the \$12 million shortfall is the amount of revenue that will not be received as budgeted for this current fiscal year, and this shortfall will draw down the service stabilization fund. Director of Finance Bradley stated that budgeting over a 20-year period will require the City to find a way to save \$9 million annually or identify additional revenue sources to offset the shortfall.

Councilmember Chu verified with City Manager Luebbers that his PowerPoint presentation will be available on the City's Web site.

Mayor Spitaleri verified with Director of Finance Bradley that any loss in property taxes will not be seen until 2011, and the projection is that the revenue will not drop as much as it just will not grow.

## **OVERVIEW OF THE STUDY ISSUES/BUDGET ISSUES WORKSHOP PROCESS**

Assistant City Manager Robert Walker provided an overview of the Study Issues/Budget Issues Workshop process.

City Manager Luebbers explained he took into account the current fiscal challenges the City faces in his recommendations for the study issues. Staff time for study issues will be reduced due to a reduced level of staff from attrition and from not filling vacant positions.

## **COUNCIL DISCUSSION/DIRECTION ON THIS YEAR'S PROCESS**

Vice Mayor Moylan inquired if the mayor intended to use the same process as last year in which Council used the Consent Calendar format to vote on the study issues. Mayor Spitaleri agreed and requested Councilmembers keep their comments brief.

Vice Mayor Moylan noted staff presented Council with a one-page document that lists all the study issues that would require outside consultant hours. Vice Mayor Moylan explained that due to the economic situation, one of the first places to cut back is the hiring of outside consultants for study issues.

Intergovernmental Relations Officer Yvette Agredano reviewed directions for this year's ranking process and stated that all voting will be by a show of hands due to the number of votes to be taken during the workshop.

## **STUDY ISSUES - REVIEW, DISCUSSION, AND PRIORITY SETTING BY DEPARTMENT**

### **OFFICE OF THE CITY ATTORNEY**

Councilmember Swegles requested to drop OCA 02 and 03.

Councilmember Whittum requested to remove OCA 02 and 03 off the drop list.

Councilmember Hamilton requested to drop OCA 01.

Vice Mayor Moylan explained that drops should be mentioned first and then restoring any drops should be identified next. Mayor Spitaleri agreed.

Councilmember Whittum requested to remove OCA 01 off the drop list.

MOTION: Councilmember Hamilton moved, and Councilmember Swegles seconded, to drop OCA 01.

SHOW OF HANDS VOTE: 5-2 (Councilmember Whittum and Vice Mayor Moylan dissented)

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to drop OCA 02.

SHOW OF HANDS VOTE: 6-1 (Councilmember Whittum dissented)

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to drop OCA 03.

SHOW OF HANDS VOTE: 3-4 (Councilmember Whittum, Vice Mayor Moylan, Mayor Spitaleri, Councilmember Chu dissented)

MOTION FAILED

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to defer OCA 03.  
SHOW OF HANDS VOTE: 6-1 (Councilmember Whittum dissented)

## **OFFICE OF THE CITY MANAGER**

Councilmember Swegles requested to drop OCM 05.

Councilmember Whittum requested to drop OCM 06 and 07.

Councilmember Hamilton requested to remove OCM 07 from the drop list.

MOTION: Vice Mayor Moylan moved, and Councilmember Hamilton seconded, to drop OCM 05 and 06.

SHOW OF HANDS VOTE: 7-0

Councilmember Hamilton requested to defer OCM 02 and 07.

Councilmember Whittum requested to remove OCM 02 from the defer list.

Mayor Spitaleri requested to defer OCM 04.

Councilmember Whittum requested to remove OCM 04 from the defer list.

Councilmember Hamilton questioned if motions should be made on individual items since the defer list is down to one item. Mayor Spitaleri requested OCM 07 be dealt with at this time.

MOTION: Councilmember Swegles moved, and Councilmember Chu seconded, to defer OCM 07.  
SHOW OF HANDS VOTE: 7-0

MOTION: Councilmember Hamilton moved, and Councilmember Howe seconded, to defer OCM 02.  
SHOW OF HANDS VOTE: 2-5 (Councilmembers Whittum, Swegles, Vice Mayor Moylan, Mayor Spitaleri and Councilmember Chu dissented)  
MOTION FAILED

Intergovernmental Relations Officer Agredano announced that OCM 01, 02, 03 and 04 are left to rank by Council.

## **COMMUNITY DEVELOPMENT DEPARTMENT**

Mayor Spitaleri announced Council will address one page of study issues at a time.

Councilmember Swegles requested to drop CDD 08, 11, 13 and 15.

Councilmember Hamilton inquired as to which item the Planning Commission had recommended to merge with CDD 11. Director of Community Development Hanson Hom explained there are four study issues dealing with cellular towers, CDD 10, 11, 16 and 44. Staff views CDD 11 to be a stand-alone issue, because it deals with identifying locations for cellular towers; whereas, the other three study issues, CDD 10, 16 and 44, address enforcement issues and aesthetic standards, and it would be appropriate to merge these three issues.

Councilmember Hamilton verified with Director of Community Development Hom that the Planning Commission recommended merging CDD 10 and 11. Director Hom explained that CDD 44 is a new study issue which has not been reviewed by the Planning Commission; however, it could also be merged with CDD 10 and 11.

Councilmember Hamilton requested to drop CDD 04.

Councilmember Howe requested to remove CDD 04 from the drop list.

Vice Mayor Moylan requested to remove CDD 08 from the drop list.

MOTION: Councilmember Hamilton moved and Vice Mayor Moylan seconded to drop CDD 11, 13 and 15.

SHOW OF HANDS VOTE: 7-0

Councilmember Hamilton requested to defer CDD 04, 05, 07 and 09.

Councilmember Howe requested to remove CDD 04 from the defer list.

Councilmember Chu requested to defer CDD 06.

Councilmember Swegles requested to defer CDD 10.

Councilmember Chu requested to remove CDD 10 from the defer list.

Vice Mayor Moylan requested to remove CDD 06 from the defer list.

MOTION: Councilmember Hamilton moved, and Councilmember Chu seconded, to defer CDD 05, 07 and 09.

SHOW OF HANDS VOTE: 7-0

MOTION: Councilmember Hamilton moved to defer CDD 04. No second was received.

MOTION FAILED FOR LACK OF A SECOND.

MOTION: Councilmember Hamilton moved, and Councilmember Swegles seconded, to defer CDD 10.

Councilmember Whittum moved, and Councilmember Chu seconded, a formal amendment to the motion to combine CDD 10, 16 and 44 and rank them as one issue.

SHOW OF HANDS VOTE: 4-3 (Councilmembers Swegles, Howe and Hamilton dissented)

Vice Mayor Moylan explained that now the current motion is to defer the merger of CDD 10, 16 and 44.

MOTION: Councilmember Hamilton moved, and Councilmember Swegles seconded, to defer the combined study issues, CDD 10, 16 and 44.

SHOW OF HANDS VOTE: 4-3 (Councilmember Whittum, Vice Mayor Moylan and Councilmember Howe dissented)

Intergovernmental Relations Officer Agredano announced that on the first page of the CDD study issues (CDD 02-15), Council has deferred CDD 05, 07, 09, (the newly combined CDD 10, 16 and 44), and Council has dropped CDD 11, 13 and 15. The following study issues from the first page, CDD 02, 03, 04, 06, 08 and 12 are left to rank by Council.

Mayor Spitaleri stated Council will address the second page of study issues.

Councilmember Swegles requested to drop CDD 17, 19, 23 and 29.

Councilmember Hamilton requested to drop CDD 20, 30 and 31.

Councilmember Howe requested to remove CDD 31 from the drop list.

Councilmember Whittum requested to remove CDD 19 from the drop list.

Vice Mayor Moylan requested to remove CDD 30 from the drop list.

MOTION: Vice Mayor Moylan moved, and Councilmember Swegles seconded, to drop CDD 17, 20, 23, and 29.

SHOW OF HANDS VOTE: 7-0

Councilmember Chu requested to defer CDD 18, 26 and 32.

Councilmember Hamilton requested to defer CDD 22.

Councilmember Swegles requested to defer CDD 19 and 21.

Councilmember Whittum verified with Director of Community Development Hom that there are three study issues, CDD 21, 22 and 46, dealing with different aspects of the noise ordinance. Director Hom explained the noise ordinance and sub-element is scheduled for completion in 2010. Director Hom recommended that the study issues regarding noise be combined with the process for updating the noise sub-element and deferring the issues to 2010. Councilmember Whittum agreed.

MOTION: Councilmember Whittum moved, and Councilmember Swegles seconded, to combine CDD 21, 22 and 46 with the noise sub-element update and defer to 2010.

SHOW OF HANDS VOTE: 6-1 (Councilmember Howe dissented)

Councilmember Hamilton requested to remove CDD 19 from the defer list.

MOTION: Councilmember Hamilton moved, and Vice Mayor Moylan seconded, to defer CDD 18, 26 and 32.

SHOW OF HANDS VOTE: 7-0

MOTION: Councilmember Swegles moved and Vice Mayor Moylan seconded to defer CDD 19.

SHOW OF HANDS VOTE: 5-2 (Councilmembers Howe and Hamilton dissented)

Mayor Spitaleri verified with City Attorney David Kahn that once a motion to defer an item has passed, if a Councilmember then moves to drop the same item and that motion passes, then that motion would supersede the prior motion to defer.

MOTION: Councilmember Hamilton moved, and Councilmember Swegles seconded, to drop CDD 19.

SHOW OF HANDS VOTE: 6-1 (Councilmember Whittum dissented).

MOTION: Councilmember Hamilton moved, and Councilmember Swegles seconded, to drop CDD 30.

SHOW OF HAND VOTE: 2-5 (Councilmember Whittum, Vice Mayor Moylan, Mayor Spitaleri, Councilmembers Chu and Hamilton)

MOTION FAILED

MOTION: Councilmember Hamilton moved to drop CDD 31.  
MOTION FAILED FOR LACK OF A SECOND.

Intergovernmental Relations Officer Agredano announced that on the second page of the CDD study issues, Council dropped CDD 17, 19, 20, 23 and 29. Council deferred, CDD 16 (as it was combined with CDD 10), 18, (combined 21 and 22), 26 and 32. The following study issues from the second page, CDD 30 and 31 are left to rank by Council.

Mayor Spitaleri stated Council will address the third and fourth pages of study issues.

Councilmember Hamilton requested to drop CDD 33, 40 and 41.

MOTION: Councilmember Chu moved to merge CDD 40 and 41.  
MOTION FAILED DUE TO LACK OF A SECOND

Vice Mayor Moylan requested to drop CDD 34 and 35.

Councilmember Swegles requested to drop CDD 36.

Vice Mayor Moylan requested to remove CDD 36 from the drop list.

MOTION: Councilmember Hamilton moved, and Vice Mayor Moylan seconded, to drop CDD 33, 34, 35, 40 and 41.

Councilmember Chu requested to remove CDD 33 from the drop list.

Restated MOTION: Councilmember Hamilton moved, and Vice Mayor Moylan seconded, to drop CDD 34, 35, 40 and 41.  
SHOW OF HANDS VOTE: 7-0

MOTION: Councilmember Hamilton moved, and Councilmember Swegles seconded, to drop CDD 33.  
SHOW OF HANDS VOTE: 5-2 (Vice Mayor Moylan and Councilmember Chu dissented)

Councilmember Swegles requested to defer CDD 43.

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to defer CDD 43.  
SHOW OF HANDS VOTE: 6-1 (Councilmember Whittum dissented).

Intergovernmental Relations Officer Agredano summarized action related to third and fourth pages of the CDD study issues. Council dropped CDD 33, 34, 35, 40 and 41. Council deferred CDD 43, CDD 44 (previously deferred when merged with CDD 10), CDD 46 (previously merged with CDD 21 and 22), and the noise sub-element update, and then deferred. Remaining study issues to be ranked: CDD 36, 37, 42, 45, and 47.

Vice Mayor Moylan verified with Intergovernmental Relations Officer Agredano that a total of 13 issues are left to rank, which will be completed by choice ranking, since there are more than 11 items. Intergovernmental Relations Officer Agredano explained that choice ranking will allow each Councilmember four votes and all votes are equal in priority.

Vice Mayor Moylan verified with Assistant City Manager Walker that the number of items to rank could be rounded up to five; however, the number for ranking was approved to round down previously.

Intergovernmental Relations Officer Agredano stated that each Councilmember will vote for four study issues and the items available for ranking include CDD 02, 03, 04, 06, 08, 12, 30, 31, 36, 37, 42, 45 and 47.

Councilmember Whittum inquired if Council had any interest in increasing the number of items to rank from four to five votes.

MOTION: Councilmember Chu moved, and Councilmember Whittum seconded, to increase the number of votes from four to five votes per Councilmember.

SHOW OF HANDS VOTE: 4-3 (Vice Mayor Moylan, Mayor Spitaleri and Councilmember Howe dissented).

Vice Mayor Moylan suggested Council take a 10-minute break because staff needs time to tally the rankings and usually there are ties to break.

Mayor Spitaleri declared a 10-minute break.

Workshop reconvened.

#### **OFFICE OF THE CITY MANAGER (Readdressed)**

Intergovernmental Relations Officer Agredano announced that OCM 03 was voted into first place, OCM 02 took second place and a tie exists for third place in which OCM 01 is tied with OCM 04.

Intergovernmental Relations Officer Agredano called for those in support of OCM 01 being in third place.

Councilmember Swegles, Vice Mayor Moylan, Mayor Spitaleri and Councilmembers Chu and Hamilton voted in support of OCM 01 in third place.

Intergovernmental Relations Officer Agredano announced that OCM 01 was voted into third place and OCM 04 will be in fourth place.

Councilmember Howe stated he would like the record to reflect that he abstained on both votes.

#### **COMMUNITY DEVELOPMENT DEPARTMENT (Readdressed)**

Intergovernmental Relations Officer Agredano announced that a tie exists for first place between CDD 04, 45 and 47.

Intergovernmental Relations Officer Agredano called for those in support of CDD 04 being in first place. Mayor Spitaleri and Councilmember Howe voted in support of CDD 04 in first place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 45 being in first place. Councilmembers Swegles, Chu and Hamilton voted in support of CDD 45 in first place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 47 being in first place. Councilmember Whittum and Vice Mayor Moylan voted in support of CDD 47 in first place.

Councilmember Howe explained that four votes in favor of a study issue are required in order for a study issue to take priority over another item. City Attorney David Kahn explained that past practice has been not to require four votes when voting to break ties for priority-setting of study issues. The study



issue that receives the highest number of votes will break the tie and take priority over the other issue. City Attorney Kahn explained that if Council disagrees with the ranking order after the final results have been announced by the city manager, a motion can be made to change the rankings and Council would then be able to revote on the ranking order.

Intergovernmental Relations Officer Agredano announced that CDD 45 was voted into first place and a tie exists between CDD 04 and 47 for second place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 04 being in second place. Councilmembers Swegles, Chu, Howe and Hamilton voted in support of CDD 04 being in second place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 47 being in second place. Councilmember Whittum, Vice Mayor Moylan and Mayor Spitaleri voted in support of CDD 47 being in second place.

Intergovernmental Relations Officer Agredano announced that CDD 04 was voted into second place, and CDD 47 moved into third place by default.

Intergovernmental Relations Officer Agredano announced that a tie exists between CDD 08, 30, and 42 for fourth place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 08 being in fourth place. No support.

Intergovernmental Relations Officer Agredano called for those in support of CDD 30 being in fourth place. Councilmember Whittum, Vice Mayor Moylan and Mayor Spitaleri voted in support of CDD 30 being in fourth place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 42 being in fourth place. Councilmembers Swegles, Chu, Howe and Hamilton voted in support of CDD 42 in fourth place.

Intergovernmental Relations Officer Agredano announced that CDD 42 was voted into fourth place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 08 being in fifth place. No support.

Intergovernmental Relations Officer Agredano called for those in support of CDD 30 being in fifth place. Councilmembers Whittum, Swegles, Vice Mayor Moylan, Mayor Spitaleri, Councilmembers Chu, Howe and Hamilton voted in support of CDD 30 being in fifth place.

Intergovernmental Relations Officer Agredano announced that CDD 30 was voted into fifth place, and CDD 08 moved into sixth place by default.

Intergovernmental Relations Officer Agredano announced that a tie exists between CDD 03, 06, 12 and 31 for seventh place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 03 being in seventh place.

Councilmember Hamilton voted in support of CDD 03 in seventh place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 06 being in seventh place.

Councilmember Whittum, Vice Mayor Moylan and Mayor Spitaleri voted in support of CDD 06 in seventh place.

Intergovernmental Relations Officer Agredano called for those in support of CDD12 being in seventh place.

Councilmember Chu voted in support of CDD 12 in seventh place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 31 being in seventh place.

Councilmembers Swegles and Howe voted in support of CDD 31 in seventh place.

Intergovernmental Relations Officer Agredano announced that CDD 06 was voted into seventh place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 03 being in eighth place.

Councilmember Whittum, Vice Mayor Moylan, Mayor Spitaleri and Councilmember Hamilton voted in support of CDD 03 in eighth place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 12 being in eighth place.

Councilmember Chu voted in support of CDD 12 in eighth place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 31 being in eighth place.

Councilmembers Swegles and Howe voted in support of CDD 31 in eighth place.

Intergovernmental Relations Officer Agredano announced that CDD 03 was voted into eighth place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 12 being in ninth place.

Vice Mayor Moylan, Mayor Spitaleri, Councilmembers Chu and Hamilton voted in support of CDD 12 in ninth place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 31 being in ninth place.

Councilmembers Swegles and Howe voted in support of CDD 31 in ninth place.

Councilmember Whittum abstained.

Intergovernmental Relations Officer Agredano announced that CDD 12 was voted into ninth place, and CDD 31 moved into tenth place by default.

Intergovernmental Relations Officer Agredano announced that a tie exists between CDD 02, 36 and 37 for eleventh place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 02 being in eleventh place.

Vice Mayor Moylan voted in support of CDD 02 in eleventh place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 36 being in eleventh place.

Mayor Spitaleri and Councilmember Chu voted in support of CDD 36 in eleventh place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 37 being in eleventh place.

Councilmembers Whittum, Swegles and Hamilton voted in support of CDD 37 in eleventh place.

Councilmember Howe abstained.

Intergovernmental Relations Officer Agredano announced that CDD 37 was voted into eleventh place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 02 being in twelfth place.

Vice Mayor Moylan voted in support of CDD 02 in twelfth place.

Intergovernmental Relations Officer Agredano called for those in support of CDD 36 being in twelfth place.

Councilmember Swegles, Mayor Spitaleri, Councilmembers Chu, Howe and Hamilton voted in support of CDD 36 in twelfth place.

Councilmember Whittum abstained.

Intergovernmental Relations Officer Agredano announced that CDD 36 was voted into twelfth place and CDD 02 moved into thirteenth place by default.

Intergovernmental Relations Officer Agredano announced that the final results are listed in priority order: CDD 45, 04, 47, 42, 30, 08, 06, 03, 12, 31, 37, 36, and 02.

Mayor Spitaleri announced that the Employment Development Department and Finance Departments do not have any proposed study issues.

## **HUMAN RESOURCES DEPARTMENT**

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to drop HRD 01.

SHOW OF HANDS VOTE: 6-1 (Councilmember Whittum dissented).

Mayor Spitaleri announced the Information Technology Department and Library Departments have do not have any proposed study issues.

## **DEPARTMENT OF PARKS AND RECREATION**

Councilmember Swegles requested to drop DPR 07.

Councilmember Whittum requested to remove DPR 07 from the drop list.

Councilmember Hamilton requested to drop DPR 02, 03 and 04.

Mayor Spitaleri requested to remove DPR 03 from the drop list.

Mayor Spitaleri verified with Director of Parks and Recreation David Lewis that the proposed study issue DPR 03 title was incorrect in that it should read “for the City to co-sponsor” instead of “for the City to sponsor.”

Mayor Spitaleri retracted his request to remove DPR 03 from the drop list.

Vice Mayor Moylan requested to remove DPR 02 from the drop list.

MOTION: Vice Mayor Moylan moved, and Councilmember Hamilton seconded, to drop DPR 03 and 04.  
SHOW OF HANDS VOTE: 7-0

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to drop DPR 07.  
SHOW OF HANDS VOTE: 4-3 (Councilmember Whittum, Vice Mayor Moylan and Councilmember Chu dissented)

MOTION: Councilmember Howe moved, and Councilmember Swegles seconded, to drop DPR 05.  
SHOW OF HANDS VOTE: 7-0

MOTION: Councilmember Hamilton moved to defer DPR 02.  
MOTION FAILS FOR LACK OF A SECOND.

MOTION: Councilmember Swegles moved, and Vice Mayor Moylan seconded, to defer DPR 01.  
SHOW OF HANDS VOTE: 6-1 (Councilmember Whittum dissented)

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to defer DPR 02.  
SHOW OF HANDS VOTE: 3-4 (Councilmember Whittum, Vice Mayor Moylan, Mayor Spitaleri and Councilmember Chu dissented)  
MOTION FAILS

Intergovernmental Relations Officer Agredano announced DPR 02 is the only item remaining and ranking is not required unless a Councilmember would like to abstain.

## **DEPARTMENT OF PUBLIC SAFETY**

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to defer DPS 01.  
Councilmember Hamilton stated she seconded the motion to allow discussion.  
SHOW OF HANDS VOTE: 1-6 (Councilmember Whittum, Vice Mayor Moylan, Mayor Spitaleri, Councilmembers Chu, Howe and Hamilton dissented)  
MOTION FAILS

Mayor Spitaleri announced a lunch break and requested Council reconvene at 1 p.m.

Councilmember Howe requested Council reconvene at 12:30 p.m. Mayor Spitaleri explained that he would like staff to have time to work on their paperwork and also have time for lunch. Mayor Spitaleri stated Council will reconvene at 1 p.m.

Workshop reconvened at 1 p.m.

## **DEPARTMENT OF PUBLIC WORKS**

Mayor Spitaleri called for items to drop from the first page.

Councilmember Swegles requested to drop DPW 02, 04, 09 and 12.

Councilmember Whittum stated that he will recuse himself from DPW 10 due to owning property in the area.

MOTION: Vice Mayor Moylan moved, and Councilmember Swegles seconded, to drop DPW 02, 04, 09 and 12.

SHOW OF HANDS VOTE: 7-0

Councilmember Swegles requested to defer DPW 03, 05, 10 and 11.

Councilmember Whittum requested to remove DPW 11 from the defer list.

Vice Mayor Moylan requested to remove DPW 03 from the defer list.

MOTION: Councilmember Swegles moved, and Vice Mayor Moylan seconded, to defer DPW 05 and 10.

SHOW OF HANDS VOTE: 6-0 (Councilmember Whittum abstained)

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to defer DPW 03

SHOW OF HANDS VOTE: 5-2 (Vice Mayor Moylan and Mayor Spitaleri dissented)

MOTION: Councilmember Swegles moved, and Councilmember Howe seconded, to defer DPW 11.

SHOW OF HANDS VOTE: 4-3 (Councilmember Whittum, Mayor Spitaleri, Councilmember Chu dissented)

Intergovernmental Relations Officer Agredano announced that DPW 02, 04, 09 and 12 have been dropped, and DPW 03, 05, 10 and 11 have been deferred. DPW 01, 06, 07 and 08 are left to rank from the first page.

Councilmember Swegles requested to drop DPW 17 and 18.

Councilmember Whittum requested to remove DPW 18 from the drop list.

Councilmember Whittum requested to drop DPW 16.

Councilmember Hamilton requested to remove DPW 16 from the drop list.

Mayor Spitaleri requested to remove DPW 17 from the drop list.

Vice Mayor Moylan requested to drop DPW 15, 19 and 21.

Councilmember Swegles requested to remove DPW 21 from the drop list.

Councilmember Whittum requested to remove DPW 19 from the drop list.

MOTION: Vice Mayor Moylan moved, and Councilmember Hamilton seconded, to drop DPW 15.

SHOW OF HANDS VOTE: 7-0

MOTION: Councilmember Swegles moved, and Councilmember Chu seconded, to drop DPW 17.  
SHOW OF HANDS VOTE: 5-2 (Councilmember Whittum and Mayor Spitaleri dissented).

MOTION: Councilmember Swegles moved, and Vice Mayor Moylan seconded, to drop DPW 18.  
SHOW OF HANDS VOTE: 5-2 (Councilmembers Whittum and Chu dissented).

MOTION: Councilmember Chu moved, and Vice Mayor Moylan seconded, to drop DPW 21.  
SHOW OF HANDS VOTE: 4-3 (Councilmembers Whittum, Swegles and Howe dissented).

Councilmember Swegles requested to defer DPW 13 and 19.

Councilmember Hamilton requested to remove DPW 13 from the defer list.

Mayor Spitaleri requested to remove DPW 19 from the defer list.

Vice Mayor Moylan requested to defer DPW 14.

Councilmember Hamilton requested to remove DPW 14 from the defer list.

MOTION: Councilmember Swegles moved, and Councilmember Whittum seconded, to defer DPW 13.  
SHOW OF HANDS VOTE: 6-1 (Councilmember Hamilton dissented)

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to defer DPW 19.  
SHOW OF HANDS VOTE: 4-3 (Councilmember Whittum, Mayor Spitaleri and Councilmember Chu dissented)

Intergovernmental Relations Officer Agredano announced that DPW 15, 17, 18 and 21 have been dropped; DPW 13 and 19 have been deferred; and DPW 14, 16 and 20 are left to rank from the second page. Intergovernmental Relations Officer Agredano announced that there are a total of seven study issues to rank, which include DPW 01, 06, 07, 08, 14, 16 and 20. Intergovernmental Relations Officer Agredano explained Council will rank all seven items with the highest priority listed as number one and the lowest ranking as number seven.

### **BUDGET ISSUES PROCESS OVERVIEW AND REVIEW OF BUDGET ISSUES**

Assistant City Manager Walker explained the budget issue process is analogous to the study issue process in that it recognizes prioritization of limited resources. Council is to identify budget issues that Council wants the city manager to consider within his budget recommendation process for the upcoming fiscal year budget. Assistant City Manager Walker explained the study issue process entails a calendar year; whereas, the budget issue process involves the fiscal year.

Budget Analyst Drew Corbett explained that budget issues are proposals to add a new service, eliminate a service or change the level of an existing service, and 13 budget issues have been submitted for consideration.

Budget Analyst Corbett explained that Council will vote on whether to refer an item to the city manager, drop or defer the item.

Councilmember Swegles verified with Mayor Spitaleri that the process will be similar to the study issue process with Councilmembers recommending those items they want to have dropped first.

Councilmember Swegles requested to drop the following budget issues:

- Parliamentary Procedure Training Consultant
- Remove Council from PERS and Health Care Coverage
- Expanding the posting of Legal Ads
- Establish a Budget for Bike to Work Day
- Provision of Bicycle Parking Facilities at Major Community Events such as the Farmer's
- Market and the Fourth of July Celebration
- Enforcement Campaign of Bicycle and Pedestrian-Related Traffic Violations

Councilmember Whittum requested to remove the following budget issues from the drop list:

- Remove Council from PERS and Health Care Coverage
- Parliamentary Procedure Training Consultant
- Expanding the posting of Legal Ads

Councilmember Howe verified with Director of Finance Bradley that the proposed budget item for utility bills would allow residents to view their utility bills online and choose whether to receive their bills online instead of in the mail.

Councilmember Howe verified with Director of Community Development Hom that \$350,000 in outside funding is a combination of \$250,000 in Community Development Block Grant funds (CDBG) and a maximum of \$100,000 from the General Fund. Councilmember Howe verified with Director of Finance Bradley that the annual \$100,000 from the General Fund has been included in the 20-year financial plan. Councilmember Howe requested the city manager identify the total cost for outside funding from the General Fund over 20 years and return to Council with that figure. Councilmember Howe identified this may be an area to consider when identifying the City's \$9 million budget shortfall.

Vice Mayor Moylan requested that staff number the budget items in the future for ease in this process.

Vice Mayor Moylan requested to remove the following budget issues from the drop list:

- Provision of Bicycle Parking Facilities at Major Community Events such as the Farmer's Market and the Fourth of July Celebration.

MOTION: Vice Mayor Moylan moved, and Councilmember Hamilton seconded, to drop the following budget issues:

- Establish a Budget for Bike to Work Day
- Enforcement Campaign of Bicycle and Pedestrian-Related Traffic Violations

SHOW OF HANDS VOTE: 6-1 (Councilmember Howe dissented)

MOTION: Councilmember Swegles moved, and Councilmember Howe seconded, to drop the following budget issue:

- Parliamentary Procedure Training Consultant

SHOW OF HANDS VOTE: 6-1 (Councilmember Whittum dissented)

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to drop the following budget issue:

- Remove Council from PERS and Health Care Coverage

SHOW OF HANDS VOTE: 6-1 (Councilmember Whittum dissented)

MOTION: Councilmember Swegles moved, and Councilmember Howe seconded, to drop the following budget issue:

- Expanding the posting of Legal Ads

SHOW OF HANDS VOTE: 6-1 (Councilmember Whittum dissented)

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to drop the following budget issue:

- Provision of Bicycle Parking Facilities at Major Community Events, such as the Farmer's Market and the Fourth of July Celebration

SHOW OF HANDS VOTE: 5-2 (Vice Mayor Moylan and Councilmember Whittum dissented).

Councilmember Hamilton requested to defer the following item:

- Closed Captioning for Government Access Television (KSUN-15) Coverage of Council Meetings

Councilmember Swegles requested to defer the following item:

- Establish Dedicated Web Content Manager

Councilmember Whittum requested to remove the following item from the defer list:

- Closed Captioning for Government Access Television (KSUN-15) Coverage of Council Meetings

Councilmember Howe requested to defer the following item:

- Electronic Utility Bill Presentment and Payment

Councilmember Hamilton requested to remove the following items from the defer list:

- Establish Dedicated Web Content Manager
- Electronic Utility Bill Presentment and Payment

MOTION: Councilmember Swegles moved, and Councilmember Hamilton seconded, to defer:

Closed Captioning for Government Access Television (KSUN-15) Coverage of Council Meetings

SHOW OF HANDS VOTE: 4-3 (Councilmember Whittum, Mayor Spitaleri and Councilmember Chu dissented)

MOTION: Councilmember Swegles moved, and Councilmember Howe seconded, to defer:

- Establish Dedicated Web Content Manager

SHOW OF HANDS VOTE: 6-1 (Councilmember Hamilton dissented)

MOTION: Vice Mayor Moylan moved, and Councilmember Whittum seconded, to refer the following budget issues for consideration in the city manager's recommended budget, per staff recommendation:

- Electronic Utility Bill Presentment and Payment
- Accelerating Installation of Sidewalk Access Improvements/Accessible Pedestrian Curb Ramps
- Planning Commission Training Budget
- Connecting the John Christian Trail to Lakewood and Fairwood Elementary Schools as Destinations and Locations of Bicycle Parking
- Development of a Multi-Media Educational Program on Traffic Safety

SHOW OF HANDS VOTE: 7-0



## **STUDY ISSUES - REVIEW, DISCUSSION AND PRIORITY-SETTING BY DEPARTMENT (Cont.)**

### **DEPARTMENT OF PUBLIC WORKS (Readdressed)**

Intergovernmental Relations Officer Agredano announced that a tie exists between DPW 14 and 20 for third place.

Intergovernmental Relations Officer Agredano called for those in support of DPW 14 being in third place.

Councilmembers Chu, Howe and Hamilton voted in support of DPW 14 in third place.

Intergovernmental Relations Officer Agredano called for those in support of DPW 20 being in third place.

Councilmembers Whittum, Swegles, Vice Mayor Moylan and Mayor Spitaleri voted in support of DPW 20 in fourth place.

Intergovernmental Relations Officer Agredano announced that DPW 20 was voted into third place and DPW 14 went into fourth place by default.

### **DRAFT REPORTS TO COUNCIL: PRIORITY ISSUES AND LEGISLATIVE ADVOCACY POSITIONS**

Intergovernmental Relations Officer Agredano gave the staff presentation and explained the purpose of establishing City Legislative Advocacy Positions is to focus staff time for advocacy on significant legislative issues.

Councilmember Whittum inquired if the City will advocate for some of its own needs. Mayor Spitaleri responded the City plans to lobby representatives in Washington, D.C., regarding the City receiving a percentage of the recovery funding for infrastructure issues. Mayor Spitaleri explained funding will go to cities over 100,000 in population; however, one area of concern is whether funding will go directly to the cities. Mayor Spitaleri stated the City needs to advocate for funding to go directly to the cities and not to the governor's office. City Manager Luebbers noted the City recently received notice from the federal government regarding submissions for recovery funds. City Manager Luebbers explained the Public Works Department is ready with several projects and has submitted documents requesting some of the recovery funds.

### **REVIEW OF PROPOSED DRAFT TENTATIVE COUNCIL MEETING AGENDA CALENDAR**

City Manager Luebbers explained the study issues ranked today will be added to the calendar and an updated version of the calendar will be distributed to Council.

Councilmember Hamilton stated she will be out of the country in August and suggested the proposed August 18 and 25 Council meetings be canceled, and that a Council meeting be scheduled on June 30, 2009.

Councilmember Howe stated the City Charter requires Council to meet a minimum of two times per month; therefore, listing a summer recess is not appropriate. Instead Councilmember Howe suggested that the term "no meeting" be listed on the calendar.

Councilmember Howe recommended the proposed September 15, 2009, Council meeting be cancelled since the League of California Cities Annual Conference starts the next day.

Councilmember Howe stated he will be out of the country September 22 and requested the proposed Council meeting for that date also be cancelled.

In response to Councilmember Hamilton's request to add a meeting in June, Vice Mayor Moylan stated he prefers not to have five Council meetings in June. City Manager Luebbbers explained that canceling two meetings in August does not require that a meeting be added to June. Councilmember Hamilton stated her concern was that when too many meetings are cancelled, the following Council meetings tend to run quite long. City Manager Luebbbers stated the calendar can be adjusted if needed.

Councilmember Hamilton suggested adding a meeting on September 8, 2009, and City Manager Luebbbers agreed.

Councilmember Chu stated that traditionally during July and August, Council meets twice a month; therefore, Council could consider canceling the proposed meeting for July 28. Councilmember Chu explained that National Night Out is held on the first Tuesday in August and a Council meeting is not held; therefore, an additional Council meeting will need to be added in August.

Councilmember Whittum verified with City Attorney Kahn that it is possible to hold a study session on the night of National Night Out, and it would count as one of the two required monthly Council meetings. City Attorney Kahn stated he will return to Council after further research to verify that holding a study session will meet the City Charter requirements. City Attorney Kahn offered that another option would be to hold an earlier Council meeting to allow time for Council to attend National Night Out events.

Mayor Spitaleri stated he will be returning from the Mayor's Conference and would like to cancel the proposed June 16 Council meeting and replace it with a meeting on June 30.

Councilmember Swegles requested the proposed June 30 meeting be cancelled and the agenda items from June 16 move to the June 23 Council meeting.

Vice Mayor Moylan noted if the budget meeting is held June 23, then June 30 will need to be held in reserve in case an additional budget meeting is necessary. Councilmember Swegles suggested that adoption of the budget be held June 9.

City Manager Luebbbers explained that staff will address Council's comments and rework the calendar and bring it back to Council for approval. Mayor Spitaleri verified with City Manager Luebbbers that Council needs to submit any other conflicts with the calendar to the City Manager's Office.

## **SUMMARY AND REVIEW OF STUDY ISSUE RANKINGS**

City Manager Lubbers presented the final study issue rankings.

Vice Mayor Moylan verified with the city attorney that the Office of the City Attorney will provide parliamentary procedure training for Council.

### **Office of the City Attorney – No ranking**

**Office of the City Manager – (ranked in order starting with number one item)**

1. OCM 03 – Consider policy to streamline pursuit of grant funding.
2. OCM 02 – Consider creation of a distribution list linking e-mail addresses to geographic mailing addresses.
3. OCM 01 – Consider revisions to Council Policy governing attendance policies for board and commission members.
4. OCM 04 – Channel 26 Public Access television programming options.

**Community Development**

1. CDD 45 – Determine appropriate review standards for alternative energy sources.
2. CDD 04 – Limitation on signage for alcohol sales.
3. CDD 47 – Commercial vehicle parking in residential zoned districts.
4. CDD 42 – Study to explore City assistance with graffiti abatement on private property.
5. CDD 30 – Coordinating zoning for projects located near City borders.
6. CDD 08 – Centralized trash enclosure requirements for attached housing.
7. CDD 06 – Requiring dual plumbing for future developments for reclaimed water.
8. CDD 03 – Increasing minimum dimensions for usable open space.
9. CDD 12 – BMR in lieu fee requirements modification.
10. CDD 31 – Zoning code requirements for political signs.
11. CDD 37 – New heritage preservation designation for existing structures as “Buildings of Character”.
12. CDD 36 – Review front yard fence requirements and policies.
13. CDD 02 – Consider revisions to zoning code for conversions of mobile home parks to other uses.

**Employment Development – No study issues proposed.**

**Finance – No study issues proposed.**

**Human Resources – No ranking**

**Information Technology – No study issues proposed.**

**Library Services – No study issues proposed.**

**Parks and Recreation**

1. DPR 02 – Consider the effectiveness and efficiency of Community Center Theatre Use Policies and Practices.

**Public Safety**

1. DPS 01 – Municipal Code ordinance to require automatic gas shut-off appliances in new or significant building construction.

**Public Works**

1. DPW 07 – Evaluate and consider implementation of the Stevens Creek Trail Extension currently proposed by the City of Los Altos.
2. DPW 01 – School transportation demand management opportunities.
3. DPW 20 – Consider any code revisions that would be necessary to allow for the filtering of “gray water” and the reuse of the filtered gray water for household purposes.
4. DPW 14– Joint Powers Authority (JPA) approach to countywide recycling and waste reduction programs and services.
5. DPW 16 – Banning the use of plastic grocery bags throughout the City.
6. DPW 08 – Reprioritization of underground utility projects.
7. DPW 06 – Impacts of traffic calming devices on cyclists.

Mayor Spitaleri thanked the city manager and staff for their efforts in preparing and conducting the workshop.

**ADJOURNMENT**

Mayor Spitaleri adjourned the workshop at 3:26 p.m.

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Katherine Bradshaw Chappellear  
Interim City Clerk

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Date